

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

Oakwood Homes Corporation, et al.,

Debtors.

OHC Liquidation Trust,

Plaintiff,

v.

Credit Suisse (f/k/a Credit Suisse First Boston, a Swiss banking corporation), Credit Suisse Securities (USA), LLC (f/k/a Credit Suisse First Boston LLC), Credit Suisse Holdings (USA), Inc. (f/k/a Credit Suisse First Boston, Inc.), and Credit Suisse (USA), Inc. (f/k/a Credit Suisse First Boston (U.S.A.), Inc.), the subsidiaries and affiliates of each, and Does 1 through 100,

Defendants.

Chapter 11

Case No. 02-13396 (PJW)

Adv. Proc. No. 04-57060 (PJW)

Civil Action No. 07-799 (JJF)

**DEFENDANTS' MOTION TO EXCLUDE THE EXPERT TESTIMONY  
OF MICHAEL TENNENBAUM PURSUANT TO FED. R. EVID. 702**

Defendants Credit Suisse (f/k/a Credit Suisse First Boston, a Swiss banking corporation), Credit Suisse Securities (USA), LLC (f/k/a Credit Suisse First Boston LLC), Credit Suisse Holdings (USA), Inc. (f/k/a Credit Suisse First Boston, Inc.), and Credit Suisse (USA), Inc. (f/k/a Credit Suisse First Boston (U.S.A), Inc.) (collectively "Defendants"), by and through their undersigned counsel, hereby move this Court pursuant to Federal Rule of Evidence 702 for an order granting Defendants' Motion to Exclude the Expert Testimony of Michael Tennenbaum.

In support of their motion, Defendants rely upon the accompanying (i) Memorandum of Law in Support of Defendants' Motion to Exclude the Expert Testimony of Michael

Tennenbaum and (ii) the Declaration of J. Justin Williamson in Support of Defendants' Motion to Exclude the Expert Testimony of Michael Tennenbaum.

WHEREFORE, the Defendants respectfully request that the Court enter an Order substantially in the form of the proposed order attached hereto as Exhibit A, and grant such other and further relief as the Court deems just and proper.

Dated: April 16, 2008  
Wilmington, Delaware

Respectfully submitted,



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- and -

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*Attorneys for Defendants*

EXHIBIT A

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Case No. 02-13396 (PJW)

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Re: Dkt. No. \_\_\_\_\_

**ORDER GRANTING DEFENDANTS' MOTION TO EXCLUDE THE EXPERT  
TESTIMONY OF MICHAEL TENNENBAUM PURSUANT TO FED. R. EVID. 702**

Upon consideration of the *Defendants' Motion to Exclude the Expert Testimony of Michael Tennenbaum Pursuant to Fed. R. Evid. 702* (the "Motion to Exclude") filed by Credit Suisse (f/k/a Credit Suisse First Boston, a Swiss banking corporation), Credit Suisse Securities (USA), LLC (f/k/a Credit Suisse First Boston LLC), Credit Suisse Holdings (USA), Inc. (f/k/a Credit Suisse First Boston, Inc.), and Credit Suisse (USA), Inc. (f/k/a Credit Suisse First Boston (U.S.A.), Inc.) (collectively, "Defendants") and any opposition thereto; and the Court having determined that the legal and factual bases set forth in the Motion to Exclude establish just cause for the relief requested therein; and the Court having determined that the material facts

underlying the Motion are not in dispute and trial on the merits of these counts therefore is not necessary;

IT IS HEREBY ORDERED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2008 THAT:

1. The Motion to Exclude is GRANTED.

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THE HONORABLE JOSEPH J. FARNAN, JR.